

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FILED
CLERKS OFFICE
2006 NOV -8 A 11:39

THOMAS MACLEOD,)
Petitioner,)
V.)
DAVID NOLAN,)
Respondent.)

Civil Action 04-11629-PBS

U.S. DISTRICT COURT
DISTRICT OF MASS.

NOTICE OF THE PETITIONER

Now comes the above petitioner, Thomas MacLeod, and wishes to make formal notice to this Honorable Court of the following:

1. This action has been under "advisement" for two years regarding MacLeod's claim that the Massachusetts Appeals Court rendered a decision that was an unreasonable or contrary application of Supreme Court law. MacLeod's claim specifically alleges he was denied a jury trial to the habitual portion of the guilty finding.

2. MacLeod also wishes to notify this Court that his sentence expires in about a year and a half and it would be a travesty of justice if this Court does not render a decision on the merits of his constitutional claims. And take formal action to this petition.

Therefor, for all the above reasons and in the interest of justice this Court should decide this matter accordingly.

November 5, 2006

Respectfully submitted,
By the petitioner,

Thomas MacLeod, W-56485
MCI-Cedar Junction
South walpole, MA